



Stat of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Executive Director

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Division Director

March 20, 2003

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 2598

Dan Powell
Emery Industrial Resources, Inc.
262 South 800 West
Payson, Utah 84651

Re: Modified Findings of Fact, Timeframe Extension to Provide Reclamation Surety, Emery Industrial Resources, Inc. Cherry Hill Park Mine, M/49/021, Utah County, Utah

Dear Mr. Powell:

On February 20, 2003, a letter was sent to you outlining the Findings of Fact, Conclusions of Law and Order, in response to a January 28, 2003, Informal Conference that was held in response to our January 9, 2003, Proposed Agency Action for the Cherry Hill Park Mine. As a result of that conference, an Order was issued that required, among other things, that Emery Industrial Resources provide a \$43,500 reclamation surety to this office within 30 days, or by March 20, 2003.

On March 19, 2003, you called the Division seeking a time extension to post the reclamation surety for the Cherry Hill Park Mine. The Division has considered your request and hereby grants an additional two (2) week extension until April 3, 2003 to provide the required surety. If you are unable to post the surety within this timeframe, the Division will proceed with the issuance of a Notice of Agency Action for a formal hearing before the Board of Oil, Gas and Mining to resolve this matter.

If you have questions or concerns regarding this extension, please contact Mary Ann Wright, or Wayne Hedberg at (801)538-5306 and 538-5286, respectively.

Sincerely,

Lowell P. Braxton
Conference Officer

jb
Enclosures
cc: Mary Ann. Wright
Wayne. Hedberg
Steve. Alder

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